

FILED

5/17/2019

EC

UNITED STATES DISTRICT COURT

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

#R-16237
LESTER DOBBEY,

Plaintiff,

v.

IMHOTEP CARTER,
Defendant.

CASE No. 13-CV-5037

HONORABLE Magistrate Judge

MARY ROLLAND

SCANNED AT STATEVILLE CC and 2-mailed
5-17-19 by CK 29 pages
date initials No.

PLAINTIFF'S THIRD MOTION TO ENFORCE SUBPOENA
AGAINST (NON-PARTY) WEXFORD HEALTH SOURCES, INC.

Plaintiff, LESTER DOBBEY, pro se, pursuant to Federal Rules of Civil Procedure 45, moves this Honorable Court to ENFORCE Subpoena against the (Non-party) WEXFORD HEALTH SOURCES, INC. and GRANT Sanctions.

IN Support Thereof:

1. ON FEBRUARY 20, 2019, Plaintiff ISSUED

AND SERVED (NON-PARTY) WEXFORD HEALTH SOURCES, INC., WITH A 15 PAGE SUBPOENA, COMMANDING PRODUCTION OF: "DEFENDANT'S JOB DESCRIPTION, DUTIES AND RESPONSIBILITIES; VARIOUS WEXFORD POLICIES, MANUALS, CONTRACTS, COMPLAINT FILES, AND EMPLOYEE NAMES." (EXHIBIT-1).

2. THE SUBPOENA COMMANDED PRODUCTION OF RESPONSIVE RECORDS BY MARCH 11, 2019, BY 1:00 p.m. (EXHIBIT-1).

3. ON MARCH 13, 2019, DURING A STATUS HEARING BEFORE THIS COURT, DEFENSE ATTORNEY JAMES MARUNA, ADVISED THIS COURT THAT (NON-PARTY) WEXFORD HEALTH SOURCES, INC., HAD JUST RECEIVED THE SUBPOENA I BELIEVE. MAGISTRATE JUDGE ROWLAND EXTENDED THE TIME FOR COMPLIANCE AND/OR RESPONSE. (SEE, 3.13.19 TRANSCRIPTS).

4. AS OF MAY 17, 2019, PLAINTIFF HAS NOT RECEIVED ANY RESPONSE OR RESPONSIVE RECORDS FROM (NON-PARTY) WEXFORD HEALTH SOURCES, INC., NOR HAS

Plaintiff heard from MR. MARUNA, in the regard. (Exhibit-2).

5. Plaintiff asks this Honorable Court to ENFORCE said Subpoena (Ex.1) and Compel (Non-party) WEXFORD to produce said Records, without cost to Plaintiff, as a Sanction for Failure to comply.

6. On MARCH 20, 2019, Plaintiff issued and served (Non-party) WEXFORD Health Sources, Inc., with another Subpoena, commanding production of: "Daily Attendance Records for Defendant." (Exhibit-3).

7. The Subpoena commanded production of responsive records by April 8, 2019, by 1:00 p.m.,. (Exhibit-3).

8. As of May 17, 2019, Plaintiff has not received any response or responsive records from (Non-party) WEXFORD Health Sources, Inc., nor has Plaintiff heard from MR. MARUNA, in the regard. (Exhibit-4).

9. PLAINTIFF ASKS this HONORABLE COURT to ENFORCE said Subpoena (Ex. 3) and Compel (NON-PARTY) WEXFORD to produce said RECORDS, without cost to PLAINTIFF, AS A SANCTION FOR NON-Compliance to Subpoena.

10. PLAINTIFF ASKS this HONORABLE COURT to impose FURTHER SANCTIONS in the amount OF \$2,500."

CONCLUSION

WHEREFORE, the PLAINTIFF, LESTER DOBBEY, PRO SE, RESPECTFULLY ASKS this HONORABLE COURT to GRANT this motion in FULL, AND ENFORCE the ATTACHED Subpoenas and GRANT PLAINTIFF'S SANCTIONS Request.

Respectfully,

151 

LESTER DOBBEY
(PRO SE- PLAINTIFF)

EXHIBIT

1

UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF ILLINOIS

LESTER DOBBEY
Plaintiff
v.
DR. IMHOTEP CARTER
Defendant

Civil Action No. 13-CV-5037

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To: WEXFORD HEALTH SOURCES, INC.,
PRENTICE HALL CORPORATION, 801 ADLAI STEVENSON DRIVE, SPRINGFIELD, IL 62703
(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: ANY AND ALL, WEXFORD HEALTH SOURCES, INC., SITE MEDICAL DIRECTOR, JOB DUTIES, RESPONSIBILITIES AND DESCRIPTIONS, FOR DR. IMHOTEP CARTER, IN EFFECTIVE USE FROM JULY 25, 2011 THRU MAY 10, 2012. WHICH SHALL INCLUDE ALL SIGNED ATTESTATIONS MADE BY DR. IMHOTEP CARTER.

Place: <u>LESTER DOBBEY, #R-16237</u> <u>P.O. BOX 112</u> <u>JOLIET, IL 60434</u>	Date and Time: <u>MARCH 11, 2019 at 1:00 p.m.</u>
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☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
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The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: FEB - 8 2019

CLERK OF COURT


Signature of Clerk or Deputy Clerk

OR

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) PLAINTIFF,
LESTER DOBBEY, who issues or requests this subpoena, are:

LESTER DOBBEY, #R-16237, P.O. BOX 112, JOLIET, ILLINOIS 60434

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

(2 of 15)

UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF ILLINOIS

LESTER DOBBEY

Plaintiff

v.

Civil Action No. 13-CV-5037

DR. IMHOTEP CARTER

Defendant

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: WEXFORD HEALTH SOURCES, INC.,
PRENTICE HALL CORPORATION, 801 ADLAI STEVENSON DRIVE, SPRINGFIELD, IL 62703
(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: ANY AND ALL WEXFORD HEALTH SOURCES, INC., ILLINOIS UTILIZATION MANAGEMENT POLICIES AND PROCEDURES, FROM THE YEAR 2011 - PRESENT. AS WELL AS, ANY AND ALL WEXFORD HEALTH SOURCES, INC., UTILIZATION MANAGEMENT, STATEVILLE CORRECTIONAL CENTER MEDICAL DIRECTORS AND UNIVERSITY OF ILLINOIS IN CHICAGO HOSPITAL, FAX AND E-MAILS, REGARDING STATEVILLE C.C. INMATES; LESTER DOBBEY # R-16237, FROM THE YEAR 2010 - PRESENT.

Place: LESTER DOBBEY, # R-16237
P.O. Box 112
JOLIET, IL 60434

Date and Time:

MARCH 11, 2019 AT 1:00 p.m.

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Date and Time:

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Date: FEB - 8 2019

CLERK OF COURT



Signature of Clerk or Deputy Clerk

OR

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) PLAINTIFF,
LESTER DOBBEY, who issues or requests this subpoena, are:

LESTER DOBBEY, # R-16237, P.O. Box 112, JOLIET, ILLINOIS 60434

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UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF ILLINOIS

LESTER DOBBEY
Plaintiff

v.

DR. IMHOTEP CARTER
Defendant

Civil Action No. 13 - CV - 5037

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: WEXFORD HEALTH SOURCES, INC.,
PRENTICE HALL CORPORATION, 801 Adlai STEVENSON DRIVE, Springfield, IL 62703
(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: ANY AND ALL, WEXFORD HEALTH SOURCES, INC., PROVIDER HANDBOOK: Physicians, Psychiatrist, NURSE PRACTITIONERS, AND PHYSICIAN ASSISTANT, FROM THE YEAR 2011 - PRESENT. Which shall include any amendments and renewals.

Place: <u>LESTER DOBBEY, #R-16237</u> <u>P.O. Box 112</u> <u>Joliet, IL 60434</u>	Date and Time: <u>MARCH 11, 2019 at 1:00 p.m.</u>
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Date: FEB - 8 2019

CLERK OF COURT

Erin Casper

Signature of Clerk or Deputy Clerk

OR

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) PLAINTIFF,

LESTER DOBBEY, who issues or requests this subpoena, are:

LESTER DOBBEY, #R-16237, P.O. Box 112, Joliet, Illinois 60434

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UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF ILLINOIS

LESTER DOBBEY
Plaintiff

v.

DR. IMHOTEP CARTER
Defendant

Civil Action No. 13-CV-5037

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To: WEXFORD HEALTH SOURCES, INC.,

PRENTICE HALL CORPORATION, 801 ADLAI STEVENSON DRIVE, SPRINGFIELD, IL 62703
(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: ANY AND ALL, WEXFORD HEALTH SOURCES, INC., CHRONIC CARE GUIDELINES, FROM THE YEAR 2011 - PRESENT, WHICH SHALL INCLUDE ANY AND ALL AMENDMENTS AND RENEWALS.

Place: LESTER DOBBEY, #R-16237
P.O. Box 112
JOLIET, IL 60434

Date and Time:

MARCH 11, 2019 AT 1:00 p.m.

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Date and Time:

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Date: FEB - 8 2019

CLERK OF COURT

[Signature]

Signature of Clerk or Deputy Clerk

OR

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) PLAINTIFF,
LESTER DOBBEY, who issues or requests this subpoena, are:

LESTER DOBBEY, #R-16237, P.O. Box 112, JOLIET, ILLINOIS 60434

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UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF ILLINOIS

LESTER DOBBEY
Plaintiff

v.

Civil Action No. 13-CV-5037

DR. IMHOTEP CARTER
Defendant

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: WEXFORD HEALTH SOURCES, INC.,PRENTICE HALL CORPORATION, 801 ADLAI STEVENSON DRIVE, SPRINGFIELD, IL 62703

(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: ANY AND ALL, WEXFORD HEALTH SOURCES, INC., CONTRACTS, WITH THE ILLINOIS DEPARTMENT OF CORRECTIONS, FROM THE YEAR 2011 - PRESENT. WHICH SHALL INCLUDE ANY AND ALL AMENDMENTS AND RENEWALS. OR OTHERWISE THE CONTRACT THAT WAS IN EFFECT DURING THE TIMEFRAME STATED.

Place: LESTER DOBBEY, #R-16237
P.O. Box 112
JOLIET, IL 60434

Date and Time:

MARCH 11, 2019 AT 1:00 p.m.

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CLERK OF COURT

Erin Carol
Signature of Clerk or Deputy Clerk

OR

Attorney's signature

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UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF ILLINOIS

LESTER DOBBEY
Plaintiff

v.

DR. IMHOTEP CARTER
Defendant

Civil Action No. 13 - CV - 5037

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
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PRENTICE HALL CORPORATION, 801 ADLAI STEVENSON DRIVE, SPRINGFIELD, IL 62703
(Name of person to whom this subpoena is directed)

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Place: <u>LESTER DOBBEY, # R-16237</u> <u>P.O. Box 112</u> <u>JOLIET, IL 60434</u>	Date and Time: <u>MARCH 11, 2019 AT 1:00 p.m.</u>
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Date: FEB - 8 2019

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Erin Casper

Signature of Clerk or Deputy Clerk

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UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF ILLINOIS

LESTER DOBBEY
Plaintiff

v.

Civil Action No. 13-CV-5037

DR. IMHOTEP CARTER
Defendant

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: WEXFORD HEALTH SOURCES, INC.,

PRENTICE HALL CORPORATION, 801 Adlai Stevenson Drive, Springfield, IL 62703
(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: Any and All, WEXFORD HEALTH SOURCES, INC., PRISON OPERATION, Policies And Procedure Manual, From the year 2011-Present, which shall include all Amendments and Renewals.

Place: LESTER DOBBEY, # R-16237
P.O. Box 112
Joliet, IL 60434

Date and Time:

MARCH 11, 2019 at 1:00 p.m.

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Date: FEB - 8 2019

CLERK OF COURT

[Signature]
Signature of Clerk or Deputy Clerk

OR

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) PLAINTIFF,
LESTER DOBBEY, who issues or requests this subpoena, are:

LESTER DOBBEY, # R-16237, P.O. Box 112, Joliet, Illinois 60434

Notice to the person who issues or requests this subpoena

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UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF ILLINOIS

LESTER DOBBEY

Plaintiff

v.

Civil Action No. 13-CV-5037

DR. IMHOTEP CARTER

Defendant

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: WEXFORD HEALTH SOURCES, INC.,PRENTICE HALL CORPORATION, 801 Adlai Stevenson Drive, Springfield, IL 62703
(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: Any and all, WEXFORD HEALTH SOURCES, INC., Urology, Orthopedic And Gastro-intestinal, Policies, Rules, Regulations, Protocols, Directives And Guidelines, From the year 2011 - Present. Which shall include Any Amendments And Renewals.

Place: LESTER DOBBEY, # R-16237
P.O. Box 112
Joliet, IL 60434

Date and Time:

MARCH 11, 2019 At 1:00 p.m.

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Date: FEB - 8 2019

CLERK OF COURT



Signature of Clerk or Deputy Clerk

OR

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) PLAINTIFF,LESTER DOBBEY

, who issues or requests this subpoena, are:

LESTER DOBBEY, # R-16237, P.O. Box 112, Joliet, Illinois 60434

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UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF ILLINOIS

LESTER DOBBEY
Plaintiff

v.

Civil Action No. 13-CV-5037

DR. IMHOTEP CARTER
Defendant

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: WEXFORD HEALTH SOURCES, INC.,
PRENTICE HALL CORPORATION, 801 ADLAI STEVENSON DRIVE, SPRINGFIELD, IL 62703
(Name of person to whom this subpoena is directed)

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Place: <u>LESTER DOBBEY, # R-16237</u> <u>P.O. Box 112</u> <u>JOLIET, IL 60434</u>	Date and Time: <u>MARCH 11, 2019 AT 1:00 p.m.</u>
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Date: FEB - 8 2019

CLERK OF COURT

Erin Casar
Signature of Clerk or Deputy Clerk

OR

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party): PLAINTIFF,
LESTER DOBBEY, who issues or requests this subpoena, are:
LESTER DOBBEY, # R-16237, P.O. Box 112, JOLIET, ILLINOIS 60434

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UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF ILLINOIS

LESTER DOBBEY
Plaintiff

v.

DR. IMHOTEP CARTER
Defendant

Civil Action No. 13-CV-5037

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: WEXFORD HEALTH SOURCES, INC.,
PRENTICE HALL CORPORATION, 801 ADLAI STEVENSON DRIVE, SPRINGFIELD, IL 62703
(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: A LIST OF ANY AND ALL WEXFORD HEALTH SOURCES, INC., CONTRACTUAL EMPLOYEES IN THE HEALTH CARE UNIT AT STATEVILLE CORRECTIONAL CENTER, FOR THE MONTHS AND YEARS: (MONTHLY LIST): JANUARY 2011 THRU DECEMBER 2011; JANUARY 2012 THRU DECEMBER 2012; JANUARY 2013 THRU SEPTEMBER 2013; NOVEMBER 2013 AND DECEMBER 2013; JANUARY 2014,

Place: LESTER DOBBEY, # R-16237
P.O. BOX 112
JOLIET, IL 60434

Date and Time:

MARCH 11, 2019 AT 1:00 p.m.

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Date: FEB - 8 2019

CLERK OF COURT

Erin Casen
Signature of Clerk or Deputy Clerk

OR

Attorney's signature

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LESTER DOBBEY, who issues or requests this subpoena, are:

LESTER DOBBEY, # R-16237, P.O. BOX 112, JOLIET, ILLINOIS 60434

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UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF ILLINOIS

LESTER DOBBEY
Plaintiff

v.

DR. IMHOTEP CARTER
Defendant

Civil Action No. 13-CV-5037

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To: WEXFORD HEALTH SOURCES, INC.,
PRENTICE HALL CORPORATION, 801 Adlai STEVENSON DRIVE, SPRINGFIELD, IL 62703
(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: A MONTHLY LIST OF ANY AND ALL WEXFORD HEALTH SOURCES, INC., CONTRACTUAL EMPLOYEES IN THE HEALTH CARE UNIT AT STATEVILLE CORRECTIONAL CENTER, FOR THE MONTHS AND YEARS: FEBRUARY 2014; MAY 2014 THRU JULY 2014; SEPTEMBER 2014 THRU DECEMBER 2014; FEBRUARY 2015 THRU MAY 2015; AUGUST 2015; JANUARY 2016 THRU NOVEMBER 2016; FEBRUARY 2017;

Place: LESTER DOBBEY, # R-116237
P.O. BOX 112
JOLIET, IL 60434

Date and Time:

MARCH 11, 2019 AT 1:00 p.m.

☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: FEB - 8 2019

CLERK OF COURT

Spina Casale
Signature of Clerk or Deputy Clerk

OR

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) PLAINTIFF,
LESTER DOBBEY, who issues or requests this subpoena, are:
LESTER DOBBEY, # R-116237, P.O. BOX 112, JOLIET, ILLINOIS 60434

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

(12 of 15)

UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF ILLINOIS

LESTER DOBBEY
Plaintiff

v.

Civil Action No. 13-CV-5037

DR. IMHOTEP CARTER
Defendant

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: WEXFORD HEALTH SOURCES, INC.,

PRENTICE HALL CORPORATION, 801 Adlai STEVENSON DRIVE, Springfield, IL 62703
(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: A MONTHLY LIST OF ANY AND ALL WEXFORD HEALTH SOURCES, INC., CONTRACTUAL EMPLOYEES IN THE HEALTH CARE UNIT AT STATEVILLE CORRECTIONAL CENTER, FOR THE MONTHS AND YEARS: JULY 2017; NOVEMBER 2018; DECEMBER 2018; JANUARY 2019 THRU MARCH 2019

Place: <u>LESTER DOBBEY, # R-16237</u> <u>P.O. BOX 112</u> <u>JOLIET, IL 60434</u>	Date and Time: <u>MARCH 11, 2019 AT 1:00 p.m.</u>
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☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
--------	----------------

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: FEB - 8 2019

CLERK OF COURT

Erin Casell OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) PLAINTIFF,LESTER DOBBEY, who issues or requests this subpoena, are:LESTER DOBBEY, # R-16237, P.O. Box 112, JOLIET, Illinois 60434

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF ILLINOIS

LESTER DOBBEY

Plaintiff

v.

DR. IMHOTEP CARTER

Defendant

Civil Action No. 13-CV-5037

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: WEXFORD HEALTH SOURCES, INC.,
PRENTICE HALL CORPORATION, 801 Adlai Stevenson Drive, Springfield, IL 62703
(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: Any and All, Complaints Against DR. IMHOTEP CARTER, Filed with WEXFORD HEALTH SOURCES, INC., which shall also include, any and all REPRIMANDS (written and verbal) as well as, suspensions (paid and unpaid), during his employment for WEXFORD HEALTH SOURCES, INC.

Place: LESTER DOBBEY, #R-16237
P.O. Box 112
Joliet, IL 60434

Date and Time:

MARCH 11, 2019 At 1:00 p.m.

☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: FEB - 8 2019

CLERK OF COURT

Evan Casan

Signature of Clerk or Deputy Clerk

OR

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) PLAINTIFF,

LESTER DOBBEY

, who issues or requests this subpoena, are:

LESTER DOBBEY, #R-16237, P.O. Box 112, Joliet, Illinois 60434

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

(14 of 15)

Civil Action No. 13-CV-5037 (LESTER DOBBEY V. IMHOTEP CARTER) (N.D. IL.)

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for (name of individual and title, if any) _____
on (date) _____.

☒ I served the subpoena by delivering a copy to the named person as follows: WEXFORD HEALTH SOURCES,
Inc., Registered Agent, Prentice Hall Corporation, 801 Adlai Stevenson Drive,
Springfield, IL 62703, by U.S. Postal Service on (date) 2-20-19 ; or

☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 2-20-19



Server's signature

LESTER DOBBEY (PRO SE- PLAINTIFF)

Printed name and title

#R-16237, P.O. Box 112, Joliet, IL 60434

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)**(c) Place of Compliance.**

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) *Contempt.*

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT 2

STATE OF ILLINOIS)
) SS
COUNTY OF Will)

AFFIDAVIT

I, LESTER DOBBEY being first duly sworn under oath depose and state that the foregoing is true and correct and made upon my personal knowledge and I am competent to testify thereto.

I am a named party in: LESTER DOBBEY v. Imhotep CARTER, CASE
NO. 13-CV-5037 (U.S.N. Dist. Ct.) (Ill.)

ON FEBRUARY 20, 2019, I ISSUED AND SERVED WEXFORD HEALTH
SOURCES, INC. WITH A 15 PAGE SUBPOENA, WHEREAS RESPONSE
WAS INITIALLY DUE ON MARCH 11, 2019 BY 1:00 P.M.,

ON MARCH 13, 2019, DURING A STATUS HEARING THE COURT
EXTEND THEIR TIME TO COMPLY BECAUSE WEXFORD RECEIVED
THE SUBPOENAS LATE.

AS OF MAY 17, 2019, WEXFORD HEALTH SOURCES, INC. HAS
REFUSED TO COMPLY WITH THE FEBRUARY 20, 2019 SUBPOENAS
WITHOUT EXCUSABLE NEGLIGENCE. WEXFORD REMAINS SILENT.

Pursuant to 28 USC 1746, 18 USC 1621 or 735 ILCS 5/109, I declare, under penalty of perjury, that I am a named party in the above action, that I have read the above documents, and that the information contained therein is true and correct to the best of my knowledge.

DATE: 5.17.2019

1st [Signature]
NAME: LESTER DOBBEY
IDOC#:

EXHIBIT 3

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF ILLINOIS

LESTER DOBBEY
Plaintiff

v.

IMHOTEP CARTER
Defendant

Civil Action No. 13-CV-5037

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To: WEXFORD HEALTH SOURCES, INC.
PRENTICE HALL CORPORATION, 801 Adlai Stevenson Drive, Springfield, IL 62703
(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: ANY AND ALL, DAILY ATTENDANCE RECORDS, ROLL CALL / SIGN-IN SHEETS, NOTIFICATION OF ABSENCE AND CALL-IN REPORTS, FOR DR. IMHOTEP CARTER, FROM JULY 2011 THRU MAY 2012.

Place: <u>LESTER DOBBEY # R-16237</u> <u>P.O. Box 112</u> <u>JOLIET, IL 60434</u>	Date and Time: <u>April 8, 2019 By: 1:00 p.m.</u>
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☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
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The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: FEB - 8 2019

CLERK OF COURT

Erin Casul
Signature of Clerk or Deputy Clerk

OR

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) (PLAINTIFF)
LESTER DOBBEY # R-16237, P.O. Box 112, JOLIET, who issues or requests this subpoena, are:
IL, 60434 (LESTER DOBBEY)

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 13-CV-5037

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for (name of individual and title, if any) _____

on (date) _____.

☒ I served the subpoena by delivering a copy to the named person as follows: WEXFORD HEALTH
SOURCES, INC., Registered Agent, by REGULAR U.S. POSTAL SERVICE
Mail on (date) 3.20.2019; or

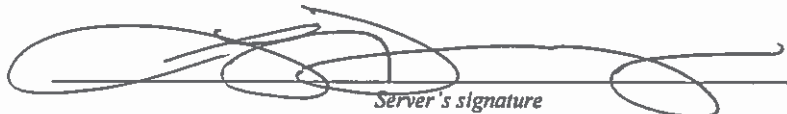
☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 3.20.2019



Server's signature
LESTER DOBBY (Plaintiff)

Printed name and title

#R-16237, P.O. Box 112, Joliet, IL 60434

Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)**(c) Place of Compliance.**

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) *Contempt.*

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT
4

STATE OF ILLINOIS)
) SS
COUNTY OF Will)

AFFIDAVIT

I, LESTER DOBBEY being first duly sworn under oath depose and state that the foregoing is true and correct and made upon my personal knowledge and I am competent to testify thereto.

I AM A NAMED PARTY IN: LESTER DOBBEY V. Imhotep CARTER,
CASE NO. 13-CV-5037 (U.S. Dist. Ct. N. Ill.)


ON MARCH 20, 2019, I ISSUED AND SERVED WEXFORD HEALTH
SOURCES, INC. WITH A 3 PAGE SUBPOENA, WHEREAS RESPONSE
WAS DUE ON April 8, 2019 by 1:00 p.m.

AS OF MAY 17, 2019, WEXFORD HEALTH SOURCES, INC. HAS
REFUSED TO COMPLY WITH THE MARCH 20, 2019 SUBPOENA
WITHOUT EXCUSABLE NEGLIGENCE.

WEXFORD REMAINS SILENT.

Pursuant to 28 USC 1746, 18 USC 1621 or 735 ILCS 5/109, I declare, under penalty of perjury, that I am a named party in the above action, that I have read the above documents, and that the information contained therein is true and correct to the best of my knowledge.

DATE: 5.17.2019

/s/ 
NAME: LESTER DOBBEY
IDOC#: _____

IN THE
UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

LESTER DOBBEY
Plaintiff/Petitioner

Vs.

No. 13-CV-5037

IMHOTEP CARTER
Defendant/Respondent

PROOF/CERTIFICATE OF SERVICE

TO: U. S. District Court
Attn: PRISON CORRESPOND
219 SOUTH DEARBORN
Chicago, IL 60604

TO: CASSIDAY SCHADE, LLP
Atty: JAMES MARUNA
222 WEST Adams St, Suite 2900
Chicago, IL 60606

PLEASE TAKE NOTICE that on MAY 17th, 2019, I placed the attached or enclosed documents in the institutional mail at Stateville Correctional Center, properly addressed to the parties listed above for mailing through the United States District Court E-Filing System. PLAINTIFF'S Third Motion to ENFORCE Subpoena Against (non-party) WEXFORD HEALTH SOURCES, INC.,

DATED: 5.17.2019

Is/ [Signature]
Name: LESTER DOBBEY
IDOC#: R-16237
Address: Stateville C.C.
P.O. Box 112
Joliet, IL 60434

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public